Inspector's Report
ACP-322818-25

Development	Construct a new securely fenced series compensation compound, and all site works.
Location	Springfield or Knockkyle, Ballacolla, Co. Laois
Planning Authority	Laois County Council
Planning Authority Reg. Ref.	2460654
Applicant	EirGrid plc
Type of Application	Permission
Planning Authority Decision	Grant Permission with Conditions
Type of Appeal	Third Party
Appellants	John Phelan & Family
Date of Site Inspection	7th November 2025 13th November 2025 26th May 2026
Inspector	Jim Egan

Contents

1.0 Site Location and Description

1.1. The appeal site is located in the rural townland of Springfield or Knockkyle, Co. Laois, with the M8 running parallel to the western boundary and c. 1km south of where the M8 merges with the M7.

1.2. The application site currently compromises of farmland across several fields delineated by hedgerows and drainage ditches. There is one existing 400 kV OHL tower within the application site. The entire application site is approximately 13.6 hectares.

1.3. The site is accessed via an existing entrance off the R434 at the southern end of the site. The existing access track, which runs north parallel to the M8, will be utilised to access the site and will be upgraded as part of the proposed development.

2.0 Proposed Development

The proposed development is compromised of the following:

- Construction of a new securely fenced series compensation compound, measuring approximately 213m length by 183m width;
- Alterations to the existing Coolnabacky to Moneypoint 400 kV overhead line including the removal of one existing overhead line tower and provision of two 400 kV single circuit angle towers (approximately 36.5m high) to facilitate the diversion of the overhead line into the series compensation compound;
- Construction of two 400 kV gantry structures to allow connection of the Coolnabacky to Moneypoint 400 kV transmission circuit to the series compensation equipment (approximately 29m high);
- Construction of three series compensation platforms comprising of capacitor bank, metal oxide varistor, triggered air gap and discharge damping circuit (approximately 12m high to top of equipment on platform);
- Construction of a single storey communication and protection equipment control building, approximately 450sqm. and 8.2m high, with 7no. associated parking spaces;

- Construction of a stores building measuring approximately 900sqm. and 14.6m high (at the highest point of the sloping roof);
- Construction of two firewater storage tanks, each measuring approximately 7m diameter and 6m high, with an associated fire pumphouse building measuring approximately 80sqm. and 7.2m high;
- Installation of associated 400 kV electrical equipment including insulators, instrument transformers, overhead conductors, disconnectors, circuit breakers, surge arrestors, line traps, lightning masts and filter reactors; and
- All ancillary site development works including site preparation works, site clearance and levelling; temporary construction compound; medium voltage substation, underground cabling and earthgrid; surface water drainage network including an attenuation pond; palisade fencing and gates (approximately 2.6m high), mesh fencing (approximately 2.4m high) and property fencing (approximately 1.4m high); lighting poles, hardstanding and internal circulation road; water supply via a new borehole, foul water holding tank, provision of a 4.5m wide access track and landscaping, as required to facilitate the development.

2.1. The application was accompanied by the following documentation of note:

- Planning and Environmental Considerations Report (PECR) with the following appendices:
    - Appendix A – SID Determination Letter from An Bord Pleanála
    - Appendix B – PECR Contributors
    - Appendix C – Construction Environmental Management Plan
    - Appendix D – Construction Phase Resource and Waste Management Plan
    - Appendix E – Photomontages
- Environmental Impact Assessment (EIA) Screening Report (Section 10 of the PECR)
- Appropriate Assessment (AA) Screening Report and Natura Impact Statement (NIS)

Further Information

Further information submitted on the 14th February 2025 comprised a cover letter addressing the items raised by the planning authority. Appendix A of the FI response contained a Construction Traffic Management Plan. The proposed development, including layout and design, was unchanged by further information.

Clarification of further information submitted on the 4th April 2025 included amended plans showing Tower 2 moved 4m further east to increase the setback to the M8, and the reduction in height of the same tower by 4m (from 36m to 32m). The proposal was otherwise unchanged.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. By Order dated 27th May 2025, Laois County Council issued a notification of decision to grant planning permission subject to 10 no. conditions. I am generally satisfied that all conditions attached by the planning authority are standard conditions insofar as they relate to the proposed development. Condition 1 relates to the requirement to comply with submitted plans and particulars and all recommendations and mitigation measures set out within NIS and Planning and Environmental Considerations Report), Condition 3 relates to external lighting, Condition 4 requires the submission of a revised Construction Environment Management Plan (CEMP), Condition 5 requires engagement with the TII (due to proximity of works to the M8), Condition 6 requires the submission of a Construction Traffic Management Plan, Condition 7 relates to archaeology and Condition 10 requires the payment of a development contribution.

3.2. Planning Authority Reports

3.2.1. *Planning Reports*

A planner's report, dated 18th December 2024, made the following main points:

- The policies of the Laois County Development Plan 2021-2027 support the principle of the proposal subject to consideration of other planning considerations.

- No concerns raised with regards overall layout and design, biodiversity, soil & hydrogeology, archaeology, landscape & visual impact, noise, air quality, climate and exposure to Electrical and Magnetic Fields.
- The planning authority is satisfied that an EIA is not required for the proposed development and there are no significant effects on the environment as a result of the proposed development.
- On review of the submitted NIS, the planning authority concluded that the proposed development, individually or in combination with other plans or projects, will not adversely affect the integrity of any European Site.
- The planner's report recommended that further information be sought in respect of the potential impact of the development on the safe operation of the M8, construction haul routes, surface water management and third-party submissions.

A second planner's report, dated 13th March 2025, recommended that clarification of further information be sought with respect to the risk of a tower collapsing within close proximity to the M8, and thus sought a Technical Acceptance Report (TAR) fully signed off by TII.

A third planner's report, dated 26th September 2025, considered that amended plans submitted were acceptable and recommended a grant of permission, subject to 10 no. conditions. The decision of the planning authority is reflective of the recommendation set out within the planner's report.

3.2.2. *Other Technical Reports*

Road Design:	Report dated 12th December 2024 recommended further information in respect of surface water drainage. A report dated 13th March 2025, issued in respect of further information received, recommended additional further information with regards the fall distance of a tower in the context of the M8.
Chief Fire Officer:	Report dated 11th November 2024 advised that the Fire Authority did not assess the application but recommends that the applicant be informed that they are required to

comply with all relevant Building Regulations and all relevant Building Control Regulations.

Environment:	No response received
Executive Technician:	Application does not require a Site Suitability Assessment
Heritage Officer:	No response received
Waste:	No response received
Water Services:	No response received
MD Area Engineer:	No objection

3.3. **Prescribed Bodies**

The Heritage Council:	No report received
NPWS and DOCHG:	No report received
Irish Rail:	No report received
An Taisce:	No report received
HSE:	No report received
Waterways Ireland:	No report received
Irish Aviation Authority:	No report received

TII: Report dated 4th December 2024 recommended further information to clarify any impacts on the M8, specifically relating to the procedure for adjusting the power line where it over sails the M8, construction of a new OHL tower close to the M8, works to the access track that runs parallel to the M8, and lighting of same, location of temporary construction compound, and construction traffic haul route.

A report dated 10th April 2025, issued in respect of further information received, continued to raise concern with regards the proposed mitigation measure of using netting above the M8 during adjustment of the overhead power line, and considered that the applicant has not addressed the query on works to the access track that runs parallel to the M8 and impact on the M8 of the location of the temporary

construction compound. Recommended conditions to be included on any grant of permission.

3.4. Third Party Observations

The planning authority received 2 no. third-party observations. The matters raised relate to the impact of the proposal on residential amenity, natural environment and also the impact on an existing tourist accommodation business operated by an appellant at their rural property. The grounds of objection generally reflect the content of the third-party appeal. Grounds of appeal are discussed in greater detail under Section 7.0 below.

4.0 Planning History

4.1. Appeal Site

ABP-312203-21 – Pre-app for the installation of series capacitor equipment on the existing Moneypoint-Coolnabacky 400kV overhead lines at the appeal site location. ABP decided that it did not constitute SID.

4.2. Surrounding Area

Appellants' Property

P.A. ref. 9312 – refers to a 1993 decision to grant permission to change the use of existing farm buildings to tourist hostel accommodation.

P.A. ref. 9989 – refers to a 1999 decision to grant permission to convert an old dwelling to tourist accommodation and assembly area.

4.3. Other Relevant Decisions

ACP ref. 11.VA0015 – refers to a grant of permission for the Laois Kilkenny Reinforcement Project. Of relevance to the current appeal is that the proposed development includes the construction of a new 400kV/110kV substation in the townland of Coolnabacky, County Laois, approximately 5 kilometres southwest of Stradbally and breaking of the existing Moneypoint – Dunstown 400kV line and its

diversion by 1.4 kilometres in a south-easterly direction into and out of the new substation at Coolnabacky.

Hence, the description of the application which is subject of the current appeal refers to the Moneypoint to Coolnabacky 400 kV overhead line, whereas in reality, until such time as the Laois Kilkenny Reinforcement Project is fully complete, the 400kV line subject of this current appeal runs from the Moneypoint power station in Co. Clare to the Dunstown substation in Co. Kildare.

The submitted PECR states that the project is under construction. EirGrid also provides progress updates on its website[1] anticipating the energising of the new works in Q2 2027.

5.0 Policy Context

5.1. Development Plan

The Laois County Development Plan 2021-2027 is the relevant operative plan in this case. Variations No. 1, 2 and 3 were adopted in May and June 2026 and relate to the zoning of land for residential development across urban settlements in response to the Government's publication of the *NPF Implementation: Housing Growth Requirements Guidelines for Planning Authorities (2025*). I am satisfied that the variations have no direct implications for the appeal site.

Laois County Development Plan 2021-2027

Relevant CDP policies, objectives and standards which are of relevance to this assessment are set out within Chapter 3 Climate Action and Energy and include –

Policy Objective NRE 1: Support the reinforcement of the electricity transmission grid to improve energy supply to the county. Where strategic route corridors have been identified, the Council will support the statutory providers of national grid infrastructure by safeguarding such corridors from encroachment provided these corridors do not have adverse impacts on residential amenity or the environment.

[1] https://www.eirgrid.ie/laois-kilkenny#project-updates

DM Standard DM NRE 1: Applicants shall ensure that planning applications involving the siting of power lines and other overhead cables fully consider the following:

i. Impacts on the landscape, national monuments, archaeology and views of special amenity value. Where impacts are inevitable, mitigation measures to minimise such impact must be provided.

ii. Impacts on Ecology – An ecological Impact assessment shall be submitted to inform the decision-making process;

iii. Development shall be consistent with best practice, with regard to siting and design.

Appendix 6 - Landscaper Character Assessment

5.2. **Eastern & Midland Regional Assembly Regional Spatial & Economic Strategy 2019-2031 (RSES)**

The following regional policy objectives are noted within the RSES:

RPO 10.20: Support and facilitate the development of enhanced electricity and gas supplies, and associated networks, to serve the existing and future needs of the Region and facilitate new transmission infrastructure projects that might be brought forward in the lifetime of this Strategy. This Includes the delivery of the necessary integration of transmission network requirements to facilitate linkages of renewable energy proposals to the electricity and gas transmission grid in a sustainable and timely manner subject to appropriate environmental assessment and the planning process.

RPO 10.22: Support the reinforcement and strengthening of the electricity transmission and distribution network to facilitate planned growth and transmission/ distribution of a renewable energy focused generation across the major demand centres to support an island population of 8 million people…

5.3. **National Planning Framework, First Revision, 2025**

The NPF establishes the fundamental national objective of achieving a transition to a competitive, low carbon, climate resilient and environmentally sustainable economy by 2050.

National Strategic Outcome 8 seeks a transition to a low carbon and climate resilient economy.

5.4. The Climate Action Plan 2025 (CAP25)

The Climate Action Plan 2025 (CAP25) sets out the roadmap to deliver on Ireland's climate ambition. It aligns with the legally binding economy-wide carbon budgets and sectoral ceilings that were agreed by Government. CAP25 builds upon CAP24 by refining and updating the measures and actions required to deliver the carbon budgets and sectoral emissions ceilings and should be read in conjunction with Climate Action Plan 2024

It reaffirms the previous commitment to halve Ireland's emissions by 2030 and reach net zero by no later than 2050, as committed to in the Climate Action & Low Carbon Act 2015 (as amended) (The Climate Act). It makes reference to the draft revised NPF which includes policy support for the development and upgrading of electricity grid infrastructure and the delivery of renewable electricity generation capacity. CAP25 also underlines the important role the planning regime will play in developing Ireland's renewable energy capacity.

5.5. Climate Action & Low Carbon 2015 (as amended) (The Climate Act)

The Climate Act commits Ireland to the objective of becoming a carbon-neutral economy by 2050, reducing emissions by 51% by the end of the decade.

Section 15 of the Climate Act sets out that;

> (1) A relevant body shall, in so far as practicable, perform its functions in a manner consistent with—
> (a) the most recent approved climate action plan,
> (b) the most recent approved national long term climate action strategy,
> (c) the most recent approved national adaptation framework and approved sectoral adaptation plans,
> (d) the furtherance of the national climate objective, and
> (e) the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State.

An Coimisiún Pleanála is a relevant body for the purposes of the Climate Act. As a result, the obligation of the Commission is to make all decisions in a manner that is consistent with the Climate Act.

5.6. **Energy Security in Ireland to 2030, Energy Security Package, Nov. 2023**

The document confirms that Irelands future energy will be secured by moving to an electricity-led system maximising our renewable energy potential.

5.7. **Policy Statement on Security of Electricity Supply, November 2021**

This statement provides that the Programme for Government requires a 51% reduction in greenhouse gas emissions by 2030 and that 80% of electricity consumption will come from renewable sources by 2030. Ensuring energy security is a national priority, as the electricity system decarbonises towards net zero emissions.

The challenges to ensuring security of electricity supply are stated to include:

- ensuring adequate electricity generation capacity, storage, grid infrastructure, interconnection and system services are put in place to meet demand – including at periods of peak demand; and
- developing grid infrastructure and operating the electricity system in a safe and reliable manner.

The Policy Statement states that the Government recognises that:

- ensuring security of electricity supply continues to be a national priority as the electricity system decarbonises towards net zero emissions;
- there is a need for very significant investment in additional flexible conventional electricity generation, electricity grid infrastructure, interconnection and storage in order to ensure security of electricity supply.

5.8. **National Biodiversity Action Plan 2023 – 2030 (NBAP)**

Ireland's 4th NBAP sets the biodiversity agenda for the period 2023 – 2030. The NBAP has a list of Objectives which promotes biodiversity as follows;

- Objective 1: Adopt a whole of government, whole of society approach to biodiversity;

- Objective 2: Meet urgent conservation and restoration needs;
- Objective 3: Secure nature's contribution to people;
- Objective 4: Enhance the evidence base for action on biodiversity;
- Objective 5: Strengthen Irelands contribution to international biodiversity initiatives.

The Wildlife (Amendment) Act 2023 provides that every public body, as listed in the Act, is obliged to have regard to the objectives and targets in the NBAP.

5.9. **Natural Heritage Designations**

The site is not located within or adjacent to any designated sites. The closest European Sites are as follows:

- River Barrow and River Nore SAC (Site Code: 002162), to the south, east and north, and at its closest, c. 4km to the northeast.
- Knockacoller Bog SAC (Site Code: 002333), c. 6.9km to the northwest.
- Coolrain Bog SAC (Site Code: 002332), c. 9.6km to the northwest.
- River Nore SPA (Site Code: 004233), to the south, east and north, and at its closest, c. 4km to the northeast.
- Slieve Bloom Mountains SPA (Site Code: 004160), c. 13km to the northwest.

The Cuffsborough pNHA (Site Code: 000418) is located c. 1.2km to the south. The Shanahoe Marsh pNHA (Site Code: 001923) is located c. 5km to the northeast. The River Nore/Abbeyleix Woods Complex pNHA (Site Code: 002076) is located c. 6km to the east.

6.0 The Appeal

A third-party appeal was made on behalf of John Phelan & Family, which includes the two parties who made observations to the local authority.

A summary of the grounds of appeal is set out below.

6.1. **Grounds of Appeal**

- The Phelan family have resided in this rural area for six generations and since the 1990s have operated a traditional farm hostel, the selling point for which is

its tranquil rural location. The business relies on the simple beauty and scenic amenity of the rural area.

- National, regional and local policy supports rural communities and a diverse rural economy including rural tourism. The proposal would negatively impact on the rural tourism business at the appellants' property.
- The proposal would be located a few hundred metres from the appellants' house. The appellant acknowledges the need for electricity network upgrades, however contends that the by reason of height, scale and mass, the proposal would have a detrimental impact on the residential and visual amenities of the area.
- The proposal, by reason of scale and height, would be prominent and visible on the approach along the laneway to the farm and would be an eyesore to visiting tourists to the area. The proposal would also be visible from the appellants' house and rooms in the hostel, resulting in a negative impact on the day-to-day enjoyment of the home and business.
- Negative impact associated with noise and air pollution during construction and operation stages.
- The construction and operational phases would have a negative impact on ecology, habitats, wetlands, hydrology, geology, biodiversity, flora and fauna, with specific reference to adjacent low input permanent pastures and ponds with abundant wildlife and the loss of extensive lengths of hedgerows and tree lines. Locals and tourists enjoy walking to the ponds.
- TII remain concerned with aspects of the construction phase. Conditions on the local authority's decision require revised/updated information/consultation with the TII. This is inappropriate as it does not afford third parties to make observations.
- EirGrid should seek to identify sites which are not close to houses, valuable tourism infrastructure and motorways of strategic transport importance.

6.2. Applicant Response to Third Party Appeal

The Commission received a response to the third-party appeal on 18th July 2025. The relevant points of the response can be summarised as follows:

Environmental Impact

- Referring to the submitted PECR, the proposal would result in a net biodiversity gain, noting that 0.96ha of currently low biodiversity improved agricultural grassland will be planted with native deciduous trees, and 0.92ha of currently intensively managed grassland will be managed so that it reverts to semi-natural grassland post construction.
- The proposed attenuation pond will form part of the proposed drainage strategy, will be designed as naturally as possible to provide habitat and will not impact on existing attenuation ponds.

Visual Impact

- The submitted landscape and visual impact assessment considers the existing landscape to be of medium to low sensitivity and thus evaluates the significance of visual impact as a result of the proposed development to be low.

Nuisance

- With regards noise, the site is located c. 337m from the closest dwelling and adjacent to the motorway, being an existing noise source. It is unlikely that the construction phase would exceed the daytime threshold value for construction noise, with reference to mitigation set out under the submitted PECR.
- With regards air quality, the submitted PECR finds that impact of construction phase on air quality will be of negligible significance, however best practice mitigation has been provided, outlined in the PECR.

Privacy

- Due to topography and access arrangement, the site is screened from nearby dwellings. During operational phase, the site will not be manned. Visits will be required on an infrequent basis. No impact on privacy is anticipated during construction or operational phases.

Proximity to Motorway

- TII have not appealed the local authority decision.
- The local authority's final planner's report considered the TII recommended conditions.
- The CEMP was submitted with the application, thus available for inspection by the appellants. This will remain a live document.

6.3. Planning Authority Response

None received.

7.0 Assessment

Having examined the application details and all other documentation on file, including the submission received in relation to this third-party appeal, the reports of the local authority, having visited the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issues in this third-party appeal to be considered are as follows:

- Principle of Proposed Development
- Visual Impact
- Noise and Air Pollution
- Surface Water Drainage
- Loss of Vegetation
- Impact on M8 Motorway
- Other Matters

I will also consider screening for Appropriate Assessment, Environmental Impact Assessment and Water Framework Directive.

7.1. Principle of Proposed Development

7.1.1. The submitted PECR, and subsequently the appeal response, provides a description and justification for Series Compensation Technology. It outlines that during times of high wind generation output, it is expected that wind generation will displace conventional generation on the system and that as a consequence of this, at times of

high wind, supply in the southwest will outweigh demand and as such large bulk power flows are expected to flow from the south-west towards the large load centre on the east coast. System reinforcements are required to facilitate such west to east power flows. These reinforcements can be facilitated using series capacitors, otherwise known as series compensation, to improve the networks power transfer capability. A series capacitor keeps the power flow in balance along the power lines to prevent unacceptably high voltage fluctuations or power failures.

7.1.2. I am satisfied that the proposed development has been justified by the applicant, consistent with National Strategic Outcome 8 of the NPF, RPO 10.22 of the EMRA RSES and Policy Objective NRE 1 of the Laois County Development Plan 2021-2027.

7.2. Visual Impact

7.2.1. The core ground of appeal relates to visual impact. The appellant argues that by reason of height and scale, along with removal of vegetation, the proposal will result in an adverse impact on the visual amenity of the area, adversely impacting the appellant's residential amenity and also adversely impacting a tourist hostel accommodation business operated at the appellant's property. On the issue of the hostel use, the appellant argues that the proposal would negatively impact views from the hostel itself, from the laneway access to the property from the east and also the tranquil nature of the surrounding area enjoyed by tourists, including walks through the adjoining forest towards two existing ponds.

7.2.2. In a response to the appeal, the applicant refers to the submitted landscape and visual impact assessment (PECR, Appendix E), reiterating that the significance of visual impact on the surrounding area as a result of the proposed development has been evaluated as being low.

7.2.3. The proposal comprises the construction of a gravelled surfaced compound measuring approx. 220m (north-south) by c. 190m (east-west). The compound would include a number of relatively high structures, as follows:

- 3 no. Series Compensation Platforms, each of a height of c. 10m to the top of associated equipment

- 2 no. gantry structures, each comprising two 29m high lattice style towers with a base width of 2.7m and with a cross beam section connecting the two towers at a height of c. 18m
- A network of 28m high lightning masts throughout the compound
- Stores building, measuring 60m x 30m and a max height of 14.59m

7.2.4. Immediately to the south of the compound, it is proposed to remove an existing 400kV overhead line (OHL) lattice tower and erect 2 no. new 400kV lattice towers, approx. 103m apart, positioned along the same 400kV line, details as follows:

- 1 no. 400kV OHL lattice tower with a height of 36m and a base width of 13m
- 1 no. 400kV OHL lattice tower with a height of 32m (reduced from 36m at further information stage) and with a base width of 11.35m. This tower would be located c. 15m west of the position of the existing OHL tower to be removed,

7.2.5. Boundary treatment will comprise a 1.4m high concrete post and rail fence with galvanised steel mesh around the overall site, whilst the boundary to the compensation compound and attenuation pond will comprise a 2.6m high palisade security fence. The drawings also show that a 2.6m high palisade security fence would also be used to contain the temporary construction compound.

7.2.6. The levels and topography across the site are, in my view, also an important consideration for visual impact. Referring to main development site, thus excluding the temporary construction compound in the northwest corner, the site is undulating and generally falls from south to north by between 9 and 12 metres, noting that the contours undulate between approx. +110m and +111.5m along the southern boundary and between approx. +97m and +102m along the northern boundary. The compensation compound would be constructed at grade with the natural ground level in the northeast corner of the site (c. +101.4m). The ground level of the compound would then gently rise to a height of +103.6m on the southern end. Referring to the submitted site layout plans (dwg. ref. 229100919-MMD-04-XX-DR-E-1011 Rev. PL1 and 229100919-MMD-04-XX-DR-E-1012 Rev. PL1), the 3 no. compensation platforms would be sited at an engineered ground level of c. +102.1m in the northern end of the compound and the 2 no. gantry structures would be sited at an engineered ground level of c. +103.5m.

7.2.7. To achieve a relatively consistent ground level for the compensation, the proposal includes ground excavation to a stated depth of c. 2m below ground level. By association with the engineered ground level, the eastern and southern edge of the compound would sit below the respective adjoining existing ground level, whilst the majority of the western edge would sit above the adjoining existing ground level. These level differences require the construction of embankments sloped at 1:2.5, and with a drainage ditch following the lower side of the embankment.

7.2.8. The 2 no. proposed 400kV OHL lattice towers will be located further south of the compensation compound, with the 36m high tower (eastern side) sitting at a ground level of c. +109.5m and the 32m high tower (closer to the M8) sitting at a ground level of c. +107.5m. The proposed OHL towers are positioned along the same east-west alignment as existing towers on the network, albeit the new towers are angled off centre to allow connection with the compensation compound.

7.2.9. Drawing no. 229100919-MMD-04-XX-DR-E-1010 Rev. PL1 (Key Plan for Site Layouts) indicates a separation distance of c. 281m between the red line boundary and the tourist hostel building on the appellant's property, and a distance of c. 337m between the edge of the compensation compound and the tourist hostel building.

7.2.10. The submitted landscape value and sensitivity assessment (Section 8.6.1 of the PECR) outlines that the area comprises a typical rural landscape of relatively flat to lightly undulating terrain cloaked in rolling arable pastoral farmland and networks of mature mixed hedgerow vegetation, not considered a particularly rare or distinctive landscape in the context of County Laois or the wider island of Ireland. At a local scale, the PECR identifies that the landscape is influenced by large scale road and overhead electrical infrastructure. The PECR concludes that the landscape sensitivity is deemed to be Medium-low.

7.2.11. The application includes a booklet of 6 no. photomontages to consider visual impact. The presentation of each of the 6 no. viewpoints comprises an existing view, wireline view and a montage.

7.2.12. The applicant's visual impact assessment is set out under Table 8.6 of the PECR. For 5 no. views, the applicant considers the significance of visual impact to be Slight-Imperceptible and for one view, Slight, with the same conclusion for both pre and post mitigation.

7.2.13. Mitigation is outlined under Section 8.5 of the PECR and comprises mitigation by design in terms of the siting of the proposed development in a robust landscape context that already comprises of existing electrical infrastructure, along with the landscape strategy which will include native woodland planting.

7.2.14. Appendix 6 of the CDP contains the Landscape Character Assessment (LCA) for the county. The site is located in the *LCA Type 2 – Lowland Agricultural Areas*, described as being generally a flat open landscape with long range views towards the upland areas, and with field patterns tending to be of large scale and generally bounded by deciduous hedgerows containing mature trees. Of note is that Policy Objective LCA 14 seeks to continue to permit development that can utilise existing structures, settlement areas and infrastructure, whilst taking account of the visual absorption opportunities provided by existing topography and vegetation.

7.2.15. During site visits, my observations generally aligned with the findings of the submitted landscape and visual impact assessment and the general landscape as described in the CDP LCA. The area is relatively flat, albeit gently undulating, countryside with agricultural land and mature field and roadside hedgerow boundaries. The M8 and M7 motorways and junction where these two motorways converge constitute a major presence in the area, whilst the existing 400kV line and associated towers are visually dominant, particularly where the towers are sited close to local roads. The appeal site is relatively isolated from dwellings, noting the motorway to the west and woodland to the north / northeast. The closest dwelling is that of the appellant located c. 370m due east of the compensation compound. As such, from a wider area perspective, and by reason of its location adjacent to the motorway network and existing 400kV infrastructure, and by reason of the proposed excavated ground level for the compound relative to the surrounding land and proposed tree planting strategy, I consider that the proposed development will have a negligible impact on the visual amenity of the area.

7.2.16. The appellant is most concerned with the visual impact of the proposed development when viewed from along the cul-de-sac L16362 local road and from the dwelling and tourist hostel located at the western end of the same road.

7.2.17. Photomontage No. 4 (VP4) is based on a viewpoint looking due west on the L16362. The viewpoint is located at a point in the laneway where it meanders from a west to a

northwest direction, with the western side laneway boundary at that point comprising a field gate and broken hedgerow, resulting in a clear view in a western direction towards the site, albeit at a distance of c. 0.5km.

7.2.18. With regards VP4, the PECR identifies that the existing view towards the site is strongly influenced by a foreground agricultural context. With regards impact, the PECR considers that changes as a result of the proposed OHL towers will be largely obscured by intervening vegetation and that changes will relate to other taller elements within the scheme which given their light lattice character are not likely to catch the eye of the casual observer. The PECR concludes that the magnitude of visual impact is deemed Low-negligible for both pre and post mitigation scenarios, and similarly the significance of visual impact is deemed to be Slight-imperceptible for both pre and post mitigation scenarios.

7.2.19. During site inspections (November 2025 and May 2026), I observed the outlook from the general location of VP4 and also from the appellant's property at the western end of the cul-de-sac laneway. With regards VP4, I concur with the applicant's visual impact assessment. The existing view is dominated by the existing 400kV line, particularly by the OHL tower in the left foreground. I also noted that the towers in the background sit below the middle distant tree lines, which, by association, and by reason of distance and structure type, lessens their visual impact and that of the proposed development, as shown in the montage for VP4. I agree that the significance of impact for VP4 would be Slight-imperceptible.

7.2.20. As noted above, I also visited the western end of the cul-de-sac laneway, where the appellant's property is located. Firstly, I noted that the property comprises a cluster of attached buildings set around a central car parking / courtyard area. The main dwelling, being a traditional two-storey house, is located on the eastern end and faces the laneway. On the opposite / western end of the courtyard is a dormer style building with a high-pitched roof. Planning permission was granted by Laois County Council in 1999 (Pl. ref. P.A. ref. 9989) to convert this building to tourist accommodation. I observed that on the western elevation, the roof slope comprises 6 no. small rooflights and a 2 no. dormer windows.

7.2.21. Due to the layout of the complex of buildings, particularly in the context of the siting, scale and height of the tourist accommodation building on the western end, the only

views in a western direction towards the appeal site are from the western elevation of the tourist accommodation building itself. I also noted the location of a conventional style haybarn located immediately west of the tourist accommodation building, which along with mature tree line, substantially screens views in a westerly direction towards the site, during both winter and summer months. I am satisfied that by reason of distance, topography and particularly by reason of intervening built form and vegetation, the proposed development will not cause adverse impact on the degree of visual amenity currently enjoyed by the appellants at their property nor tourists staying in the hostel.

7.2.22. The appellant also makes reference to the perceived impact of the proposal on the tourist value of two existing ponds located within the woodland north of the site. Whilst the appellant's concern appears to relate to water quality, I have also considered the visual impact. I walked from the appellant's property west and northwest through the woodland as far as the first pond encountered, being the southern-most pond. I observed that whilst the track through the woodland appears to be defined by use rather than a made surface, albeit overgrown in places, it is accessed from an agricultural field used for cattle grazing on the eastern end of the wood, and as such there does not appear to be any public access, per se, but perhaps it is used in association with the tourist hostel. Notwithstanding, I observed that there is substantial woodland (c. 60m deep) between the walking track and the appeal site (edge of the woodland), therefore in my view, the proposal would have little effect, visually, on the amenity associated with the track.

7.3. **Noise and Air Pollution**

7.3.1. The appellant contends that by reason of noise and air pollution, the construction and operational phases of the development will cause a nuisance to the tourism hostel use, a business that relies on a peaceful and healthy environment.

Noise

7.3.2. In a response to the appeal, the applicant notes that the site is located c. 337m from the closest dwelling and adjacent to the motorway, being an existing noise source, and considers it unlikely that the construction phase would exceed the daytime

threshold value for construction noise, with reference to mitigation set out under the submitted PECR.

7.3.3. Section 9.2 of the submitted PECR considers the potential noise impact of the proposed development. As per the applicant's appeal response, the PECR outlines that due to the separation distance between the site and the appellant's property and presence of the motorway, that there is likely to be limited noise impact on the appellant's property during the construction phase and that site noise alone is unlikely to lead to exceedances of the 65 dB(A) daytime threshold value for construction noise. The PECR refers to standard mitigation measures during the construction phase to further reduce any noise pollution. The PECR outlines that traffic movements in the operational phase are limited to those for repair and maintenance purposes, estimated to be c. 15 vehicular movements per month.

7.3.4. The tourist hostel building is located c. 337m from the compensation compound and the appellant's dwelling marginally further, with intervening mature woodland and field boundary hedgerows and trees. The site would be accessed from a regional road to the south for both construction and operational stages. The PECR outlines that the construction phase would last c. 26 months. In my view, by reason of separation distance, intervening vegetation and locational context of the access track, the construction and operational phases are unlikely to cause any adverse noise impact on the amenity of the appellant, nor the tourism use at the property. The mitigation measures are noted and will provide an additional layer of protection for nearby sensitive receptors including the appellant.

Air Quality

7.3.5. In a response to the appeal, the applicant refers to the submitted PECR, reiterating that impact of the construction phase on air quality will be of negligible significance, however best practice mitigation has been provided, as outlined in the PECR.

7.3.6. In my view, as per noise pollution, by reason of separation distance, intervening vegetation and locational context of the access track, the construction and operational phases are unlikely to cause any adverse air quality impact on the amenity of the appellant, nor the tourism use at the property. And again, the mitigation measures are noted and will provide an additional layer of protection for nearby sensitive receptors including the appellant.

7.4. Surface Water Drainage

7.4.1. In the broader argument around the impact on the environment, the appellant contends that the proposed development will impact on wetlands and hydrology. This is in the context of the how surface water is managed and the potential impact on existing ponds located within the woodland to the north.

7.4.2. The submitted PECR, along with further information submitted to the local authority, outlines that surface water runoff from within the compensation compound will be collected via a gravity drainage system (consisting of filter and carrier drains), will pass through a silt trap chamber and Class 1 bypass [oil] separator, and into an attenuation pond / retention basin, discharging to Cross 15 (GULLY_020) via a flow control device. The applicant further outlines that runoff will enter the attenuation pond at variable rates depending on the intensity of the storm event, but discharge from the pond will be limited to the 'Qbar' rate for the site, which is generally accepted to be equivalent to the pre-development greenfield runoff rate. Documentation received by the local authority at further information stage outlines that impermeable surfaces amounts to c. 0.64ha, comprising the control and store building, and roads, parking and hardstand areas, whilst permeable surfaces amount to c. 3.14ha, comprising crushed rock areas around the equipment and platforms.

7.4.3. Additionally, a drainage ditch has been proposed around the perimeter of the fenced compound to collect surface water run-off from the lands outside the compensation compound. The proposed drainage ditch will connect to remaining sections of existing drainage ditches located to the north and east of the proposed compound, which drain directly into the adjoining stream running along the northeastern site boundary. The access track will be drained to a crushed stone channel on its eastern side.

7.4.4. With regards flood risk, the submitted PECR outlines that the proposed site is not shown to be located within the extent of any fluvial flood extents – low, medium or high probability under CFRAM Present Day and Future Mid Range and High End scenarios, as confirmed by a review of Office of Public Works available flood mapping. The PECR does however note that Map 10.3 Flood Map 10.3 of the Laois County Development Plan illustrates Flood Zone A partially within the proposed site boundary where it bounds the Gully_020 along the north eastern boundary, however Flood Zone A or B

does not extend to the proposed series compensation compound or any other part of the application site including site access.

7.4.5. On the basis of the foregoing, I am satisfied that the drainage strategy for the proposed development has been sufficiently designed to cater for the development and unlikely to cause any adverse impacts on surface or groundwater. Of note is that run off from the buildings and hard surfaces will be directed through a class 1 silt trap chamber and Class 1 bypass oil separator, with discharge from the attenuation pond fitted with a flow control valve. By association, I am satisfied that the proposal is unlikely to cause adverse impacts on the existing ponds located within the woodland to the north.

7.5. **Loss of Vegetation**

7.5.1. The appellant contends that the proposed removal of hedges and trees will irreversibly impact flora and fauna, vegetation, habitats, biodiversity and visual amenity. The issue of visual amenity is discussed under Section 7.2 above.

7.5.2. The proposed compound would be located across field boundaries requiring the removal of c. 126m of Hedgerow (WL1) and 215m of treeline (WL2). Mitigation / ecological enhancement is outlined under section 4.6 of the PECR. This comprises 0.96ha of currently low biodiversity improved agricultural grassland to be planted with native deciduous woodland, resulting in a net increase in deciduous woodland type habitat of up to c. 0.86ha. Additionally, 0.92ha of currently intensively managed grassland will be managed so it reverts to a semi natural grassland post construction and attenuation pond is to be designed to enhance local biodiversity.

7.5.3. With regards birds, the submitted PECR outlines that the loss of habitat within the redline boundary will lead to localised loss of breeding habitat for yellowhammer, skylark, buzzard and other common bird species. The PECR notes that whilst Yellowhammer is the most notable species (red listed) resident throughout the year on the site and environs; its breeding areas are focused on managed boundary hedgerows on the south and west of the application site and these hedgerows will not be impacted. The PECR concludes that with proposed ecology enhancement measures no adverse effects are likely to Yellowhammer and other local breeding populations birds. The PECR also outlines that the site has low importance for wintering waterfowl, that all winter bird species, including amber and red listed species

recorded, are typical common species that are widely distributed on farmland throughout Ireland during winter. The PECR concludes that adverse effects are not likely to wintering birds.

7.5.4. With regards bats, the PECR outlines that the main treeline within the proposed site, running east to west was identified to have low to negligible roost potential. No roosts were recorded during the emergence survey on 14 August 2023. Overall bat activity along this treeline and connected hedgerows was moderate. Bat species recorded utilising this site, foraging and commuting, were soprano pipistrelle, common pipistrelle, Leisler and an unidentified Myotis sp. Common pipistrelles were the most abundant species with soprano pipistrelles being the second most common within the proposed site. The PECR outlines that there will be localised loss of treeline and hedgerow that are used by commuting and foraging bats, but that foraging areas and commuting routes are not legally protected.

7.5.5. The PECR further outlines that loss of habitat will lead to localised small-scale loss of foraging and commuting habitat for a variety of other species such as badger, otter, pine martin and hedgehog.

7.5.6. By reason of the site location within the wider expanse of hedgerows and woodlands, and taking account of the ecological enhancement proposed, I consider that the extent of hedgerow and tree removal to be relatively small scale, and unlikely to result in any adverse effect on birds or mammals, including bats.

7.6. Impact on M8 Motorway

7.6.1. The appellant makes a point that the TII, by reason of the recommendation for clarification of further information, remained concerned with aspects of the development and contends that conditions included on the local authority's decision require revised / updated information / consultation with the TII, which the appellant considers inappropriate as it does not afford third parties the opportunity to make observations.

7.6.2. Having reviewed the referral reports received by the local authority from the TII on 4th December 2024 and 10th April 2025, I consider that the main residual concerns of the TII appear to have related to 1) the temporary safety works to be implemented when connecting power lines above the motorway, 2) location and buildup of the access

track, including the boundary, drainage, maintenance strip and management of same including lighting, and 3) the management of the temporary construction compound in the context of its location adjacent to the M8.

Temporary Safety Measures for M8

7.6.3. The concern of the TII in this regard related to the stated intention of the applicant to erect netting on top of guard poles either side of the motorway as a safety measure in the event that the lines fall onto the motorway during the process of connecting the lines from the existing tower on the west side of the motorway to the new tower on the appeal site. The TII outlines that proposed temporary netting atop poles over a motorway is not acceptable to TII as contrary to the interests of the safe and efficient operation of the motorway and public safety. The applicant points out that a relatively recent decision by An Bord Pleanála (ABP-318799-24) comprised similar type development where restringing above a motorway did not attract conditions requiring consultation with TII.

7.6.4. Whilst I acknowledge the potential motorway safety implications of connecting the overhead lines between the existing and new towers, I consider the arrangements for same are best placed as part of an agreement between the applicant and TII. In this regard, I am conscious of Section 34(13) of the 2000 Planning and Development Act (as amended), pursuant to which a person shall not be entitled solely by reason of a permission under this section to carry out any development. If the Commission is minded to grant permission, I recommend that the planning authority's condition no. 5 is included, which requires that prior to the commencement of development the developer shall consult with Transport Infrastructure Ireland (TII) in respect of temporary works during the construction phase.

Access Track

7.6.5. It is proposed that construction and operational phase access to the site would be via an existing farm access track off the R434 at the southern end of the site. The access track would have a gravel stone surface, 4.5m in width and would generally run parallel to the M8 for a distance of c. 1.3km to provide access to the main development site. The submitted site layout drawings Sheets 2, 3, 4, 5, 6 and 7 cover the full length of the access track and indicate that the first c. 500m of track comprises an existing farm track to be upgraded and that the remainer would comprise a new track. The drawings

also indicate the provision of passing bays along the route and a new timber and tension mesh fence on the east / farmland side of the access track, noting that the western boundary to the motorway comprises an existing timber post and rail fence. A cross-section detail has been provided for the access track on drawing no. 229100919-MMD-04-XX-DR-E-1046 Rev. PL1 (albeit I note that this drawing has been mislabelled as 'proposed overall drainage and watermain layout' on drawings transferred with the application on share point). The drawing shows the access track in the context of the existing boundary treatment to the motorway and proposed new boundary treatment to the adjoining field to the east. The drawing also indicates that the access track would have a slight fall in an eastern direction towards the inside field with surface water drained to a crushed stone channel, thus, drained away from the motorway. The site plan indicates that there would be no permanent lighting to the access track.

7.6.6. In the TII's report, dated 10th April 2025, it recommended the inclusion of a pre-commencement condition set out under parts numbered (a) through to (k). Part (e) requested details of the upgrade of the access track including long and short sections identifying all fencing, gating, drainage, lighting and surface and or build up arrangements. In consideration of the TII report, the planning authority, in respect of part (e) state that the details submitted by the applicant is considered to be satisfactory, and no further information is considered necessary. In my view, the documentation provided by the applicant with respect to location, makeup and drainage arrangement for the access track is sufficient. With regards construction phase lighting, the submitted CEMP notes that additional security lighting will be required during the construction phase which will be cowled to reduce lighting splay. No further details are provided. Given the close proximity of the access track to the motorway, and in the context of road safety, I consider it prudent that temporary lighting be agreed with the planning authority. This can be included in a CEMP condition, thus an amendment to the local authority's condition no. 4, if a grant of permission is forthcoming.

Temporary Construction Compound

7.6.7. The TII, in its report dated 10th April 2025, advised the planning authority that further information and clarification of further information received does not provide details for

the mitigation of potential impacts on the M8 that may arise from the lifting, handling and storage of materials, the creation of dust, illumination and distraction to drivers.

7.6.8. In its response to the appeal, the applicant outlines that the local authority evaluated TII's report including recommended conditions and that the TII has not appealed the local authority's decision. The applicant further notes that a CEMP was submitted with the application and remains a live document, to be updated where required, throughout the construction phase.

7.6.9. The temporary construction compound would be located in the northwest corner of the site adjacent to the M8 motorway. The PECR states that once the works are completed, the land on which the temporary construction compound is to be located will be reinstated to its original condition.

7.6.10. The pertinent issue relates to the management of the temporary construction compound during the construction phase and whether the submitted application or local authority conditions are sufficient to address TII concerns with regards the safe operation of the motorway. As with the access track, the TII's report dated 10th April 2025 recommends under part (g) a request for details of the construction compound management regime including fencing, signage, parking and circulation arrangements, lighting, cranage and dust suppression measures. Again, the planning authority considered the details submitted by the applicant to be satisfactory and no further information is considered necessary. The submitted site layout plan (Sheet 8 of 8) indicates the positioning of temporary fencing around the compound, to comprise a 2.6m high palisade security fence. Condition 6 on the local authority's decision requires the submission, for agreement, of a Construction Traffic Management Plan to include details of access, parking, signage and areas for loading / unloading. In my view, this is acceptable. As per the access track, I consider that temporary lighting during construction should be specifically included in a CEMP condition, to allow such lighting to be considered in the context of the location of the construction compound adjacent to the M8.

7.7. **Other Matters**

Climate Change

7.7.1. I have considered the application in the context of climate change. The Climate Action and Low Carbon Development Act, 2015, as amended, commits Ireland to the objective of becoming a carbon-neutral economy by 2050 and reducing Greenhouse Gas (GHG) emissions by 51% by the end of the current decade. Section 17 of the Climate Action and Low Carbon Development (Amendment) Act, 2021 amends the principal act such that Section 15(1) requires a relevant body shall, in so far as practicable, perform its functions in a manner consistent with relevant climate related plans and strategies including the most recent approved climate action plan (CAP), being CAP 24 and CAP 25.

7.7.2. The purpose of the CAP is to lay out a roadmap to deliver on Irelands climate ambition of 51% reduction in GHG emissions from 2021-2030 and net-zero emissions by 2050.

7.7.3. The proposed development comprises system reinforcements to facilitate excessive flows of power from the west to the east of the country during high winds, thus facilitating the operational capacity of windfarms and capacity for Ireland to meet its target for onshore wind power generation, an action of CAP25.

Relevance of Conditions

7.7.4. Condition 9 restricts construction hours to between 7am and 5pm Monday to Friday but allows a deviation with prior agreement with the planning authority. The submitted CEMP does not include any details on anticipated construction hours, however in my view, a 5pm finish time is overly restrictive in the context of the site's rural location and adjacent to the M8. If the Commission is minded to grant permission, I recommend that a condition is included which stipulates 7am to 7pm, Monday to Friday and between 7am and 2pm on Saturdays.

8.0 AA Screening

8.1. **Appropriate Assessment Screening Determination (Stage 1)**

Refer to Appendix 1. In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered

in this AA screening, including a Stage 1 AA screening report that accompanied the application, I conclude that the potential for significant effects on European Site(s), most notably the River Barrow and River Nore SAC with a hydrological connection to the overall site cannot be excluded without further detailed assessment and therefore a Stage 2 Appropriate Assessment is required to be undertaken.

This determination is based on the site's location, and the potential for impacts on the qualifying interests of this SAC in terms of water quality and disturbance of mobile species.

8.2. Appropriate Assessment Determination (Stage 2)

Refer to Appendix 2. In screening the need for Appropriate Assessment, it was determined that the proposed development could potentially result in significant effects on the River Barrow and River Nore SAC in view of potential hydrological connectivity and given the conservation objectives of this site and that Appropriate Assessment under the provisions of S177U was required.

Following an examination, analysis and evaluation of the NIS, including required mitigation and all associated documentation submitted, I consider that adverse effects on the site integrity of the River Barrow and River Nore SAC can be excluded in view of this site's conservation objectives and that no reasonable scientific doubt remains as to the absence of such effects.

Of note is that the submitted NIS refers to the Margaritifera durrovensis (Nore Pearl Mussel) [1990]. I note that the *NPWS (2025) Conservation Objectives: River Barrow and River Nore SAC 002162. Version 2* outlines that genetic research has placed the Nore population of Freshwater Pearl Mussel (formerly Margaritifera durrovensis, Species code 1990) within the Margaritifera margaritifera taxon, hence referred collectively as Margaritifera margaritifera (Freshwater Pearl Mussel) [1029].

9.0 Water Framework Directive

Section 5.0 of the submitted PECR provides baseline information on hydrogeology in respect of groundwater quality and vulnerability and also on hydrology in respect of flood risk, water supplies and surface water quality in the context of the Water

Framework Directive (WFD). The PECR considers the proposed development in the context of the WFD and provides the following conclusion:

The implementation of the proposed mitigation during construction will ensure that there are no impacts to groundwater quality. The small scale of the proposed development relative to the magnitude of the WFD waterbody means no significant operational effects are anticipated. The proposed development has no potential to cause deterioration in status of the groundwater body and will not cause a deterioration of the status of any groundwater body under the WFD and will not undermine the attainment by any such body of good status

Refer to Appendix 3. I conclude that on the basis of objective information, that the proposed development, subject to mitigation measures set out in the submitted PECR and NIS, will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

10.0 EIA Screening

Refer to Appendix 4 and Appendix 5 of this report, which contain EIA Form 1 and EIA Form 3, respectively. Having regard to the nature, size and location of the proposed development and to the criteria set out in Schedule 7 of the Regulations, I have concluded that there is no real likelihood of significant effects on the environment arising from the proposed development. The preparation and submission of an Environmental Impact Assessment report (EIA) therefore is not required.

11.0 Recommendation

It is recommended that permission be granted subject to conditions.

12.0 Reasons and Considerations

Having regard to:

- the nature, scale and extent of the proposed development,
- the characteristics of the entirety of the site and of the surrounding area,

- national, regional and local policy support, in particular:
    - National Planning Framework, First Revision, 2025
    - Government Policy Statement on the Security of Electricity Supply (2021),
    - Regional Spatial and Economic Strategy for the Eastern & Midland Region 2019-2031,
    - Laois County Development Plan 2021-2027,
- the likelihood for consequences on the environment and the proper planning and sustainable development of the area in which it is proposed to carry out the proposed development and the likely significant effects of the proposed development on European Sites

  and given:

- that the Commission has performed its functions in a manner consistent with The Climate Action and Low Carbon Development Act 2015 (as amended)

It is considered that the proposed development, subject to compliance with the conditions set out below, would comply with the provisions of the Laois County Development Plan 2021-2027, would not have an unacceptable impact on the landscape and the visual amenities of the area, would not have significant adverse impacts on the environment, and would not seriously injure the amenities of property in the vicinity. The proposed development would not have any likely significant effects on the River Barrow and River Nore SAC or any other European Site. Accordingly, the proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

13.0 Conditions

1.	The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on the 29th October 2024 as amended by the further plans and particulars submitted on the 4th April 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be

	agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars. (a) The 2 no. new lattice towers shall be installed and constructed in accordance with details received by the planning authority on 4th April 2025. **Reason:** In the interest of clarity.
2.	The mitigation measures contained in the submitted Natura Impact Statement (NIS) and Planning and Environmental Considerations Report (PECR) shall be implemented. **Reason:** In the interest of environmental protection and to protect the integrity of European Sites.
3.	Any external lighting shall be cowled and directed away from the public roadway and adjoining properties. **Reason:** In the interests of traffic safety and residential amenity.
4.	Prior to the commencement of development, the developer shall consult with Transport Infrastructure Ireland (TII) in respect of temporary works during the construction phase. **Reason:** In the interests of traffic safety.
5.	The developer shall engage a suitably qualified licence eligible archaeologist (licensed under the National Monuments Acts) to carry out pre-development archaeological testing in areas of proposed ground disturbance and to submit an archaeological impact assessment report for the written agreement of the planning authority, following consultation with the National Monuments Service, in advance of any site preparation works or groundworks, including site investigation works/topsoil stripping/site clearance/dredging/underwater works and/or construction works. The report shall include an archaeological impact statement and mitigation strategy. Where archaeological material is shown to be present, avoidance, preservation in-situ, preservation by record [archaeological excavation] and/or monitoring may be required. Any further archaeological

	mitigation requirements specified by the planning authority, following consultation with the National Monuments Service, shall be complied with by the developer. No site preparation and/or construction works shall be carried out on site until the archaeologist's report has been submitted to and approval to proceed is agreed in writing with the planning authority. The planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of any subsequent archaeological investigative works and/or monitoring following the completion of all archaeological work on site and the completion of any necessary post-excavation work. All resulting and associated archaeological costs shall be borne by the developer. **Reason:** To ensure the continued preservation, either in situ or by record, of places, caves, sites, features or other objects of archaeological interest.
6.	A final Construction and Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The CEMP shall include but not be limited to construction phase controls for dust, noise, vibration, external lighting, waste management, protection of soils, groundwaters, and surface waters, site housekeeping, emergency response planning, site environmental policy, and project roles and responsibilities. **Reason:** In the interest of environmental protection.
7.	A final Construction Traffic Management Plan shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. This Construction Traffic Management Plan shall include the following detail: (a) Identification of all proposed site access locations off the road network and the signage proposed at each location. Site access points must be clearly identified in advance on National, Regional and Local Roads; (b) Proposals for loading/unloading of construction materials and plant.

	(c) Identification of parking locations - parking of all site operatives and construction vehicles shall not be permitted on the side of the national or regional road network. (d) Proposals to phase deliveries in order to minimize traffic disruption. (e) Any proposed works to the national road network, including signage (static and VMS) shall comply with TII Publications **Reason:** In the interest of traffic safety
8.	Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0700 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority. **Reason:** In order to safeguard the amenities of property in the vicinity.
9.	The site development and construction works shall be carried out in such a manner as to ensure that the adjoining roads are kept clear of debris, soil and other material. **Reason:** In the interest of traffic safety and convenience.
10.	The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme. **Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with

	the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.

_____

Jim Egan
Planning Inspector

17th June 2026

Appendix 1 - Screening for AA

Screening for Appropriate Assessment
Test for likely significant effects

1: Description of the project and local site characteristics

Case file: ACP-322818-25

Brief description of project	Construct a new securely fenced series compensation compound, and all site works. A detailed description of the proposed development is provided in Section 2.0 of the Inspector's report and detailed specifications of the proposal are provided in the PECR, AA screening report/ NIS and other planning documents provided by the applicant, including the CEMP.
Brief description of development site characteristics and potential impact mechanisms	An existing stream (GULLY_020) runs along inside the northeastern boundary of the site. The stream flows north/northwest, under the M8 / M7 interchange, before discharging into another stream, also part of GULLY_020, which then flows north for c. 980m to join the River Gully (GULLY_030). From that point, the River Gully flows c. 11km to the southeast before discharging to the River Nore (NORE_110) due north of Durrow village, at a point of the river covered by both the River Barrow and River Nore SAC and River Nore SPA.
Screening report	Yes (Prepared by Mott MacDonald) The report identified the following: <u>River Barrow and River Nore SAC (002162)</u> The proposed development is located a significant distance from the River Barrow and River Nore SAC however, there is downstream hydrological connectivity. The River Gully_020 flows north before joining Gully_030 and flowing southeast eventually leading into the River Nore (hydrological distance is c.13.3km following the natural flow of the river). Given the hydrological connection to the SAC and the nature of the aquatic qualifying interests for which it is designated, a viable source pathway receptor link is identified. The current poor status (WFD) of the River Gully which flows adjacent to the proposed development site with hydrological link to the River Nore, means that if there is potential for further degradation of the River Gully due to

	the proposed development. Potential additional pollution could add to existing cumulative water quality stresses on very sensitive aquatic QI species. <u>Knockacoller Bog SAC (002333)</u> Given the location of the SAC in relation to the proposed development, and the nature of the qualifying interests for which it is designated, no viable source pathway receptor links are identified, and therefore no potential for significant effects to this European site. <u>Coolrain Bog SAC (002332)</u> Given the location of the SAC in relation to the proposed development, and the nature of the qualifying interests for which it is designated, no viable source pathway receptor links are identified, and therefore no potential for significant effects to this European site. <u>Lisbigney Bog SAC (000869)</u> Given the location of the SAC in relation to the proposed development, and the nature of the qualifying interests for which it is designated, no viable source pathway receptor links are identified, and therefore no potential for significant effects to this European site. <u>Galmoy Fen SAC (001858)</u> Given the location of the SAC in relation to the proposed development, and the nature of the qualifying interests for which it is designated, no viable source pathway receptor links are identified, and therefore no potential for significant effects to this European site. <u>Cullahill Mountain SAC (000831)</u> Given the location of the SAC in relation to the proposed development, and the nature of the qualifying interests for which it is designated, no viable source pathway receptor links are identified, and therefore no potential for significant effects to this European site. <u>River Nore SPA (004233)</u> The proposed development is located 4.0km from the River Nore SPA at its closest point. There is a hydrological connection between the proposed development site and the River Nore SPA, via the River Gully_020 tributary (Cross 15) which flows adjacent to the north of the proposed development site and is connected directly to the site via two drainage ditches. The River Gully outfalls into the River Nore 13.3km downstream (following the curvature of river).

	There is potential for SCI species (kingfishers) to occur outside of the SPA boundary as kingfishers are mobile and travel along watercourses. The footprint of the proposed development has not been identified in desk review or field surveys conducted as an ex-situ foraging, roosting or breeding area for kingfisher. The stream on site is unsuitable nesting or forage habitat for this species. Possible cumulative water quality impacts from the relatively small scale development (relative to the wider region) are not likely to impact prey species of Kingfisher or have any other effects, even in a worst case scenario (pollution incident). As such, given the location of the Proposed development relative to the SPA, survey and desktop study results, and the habitats within the footprint of the works, no viable source pathway receptor link is identified. <u>Slieve Bloom Mountains SPA (004160)</u> The proposed development is located a significant distance from the Slieve Bloom Mountains SPA with no hydrological connectivity. Hen Harriers were not recorded during surveys. A search of the National Biodiversity Data Centre (NBDC) maps found three records of hen harrier within S38 10km grid square (March 2021) and no records within the 2km grid square S38M, which include the proposed development site. Hen Harrier off hilly breeding areas on to lowlands in the winter, roosting at specific bog, heath, young forestry and undisturbed wetland locations and forage often on farmland nearby. The habitat within the site is unsuitable as a roost site for wintering hen harrier being managed farmland. No potential roost sites occur in the wider local area. As such no viable source pathway receptor links are identified, and therefore no potential for significant effects to this European site.
Natura Impact Statement	Yes
Relevant submissions	None
Additional information	None

2. Identification of relevant European sites using the Source-pathway-receptor model

European Site (code)	Qualifying interests (summary) Link to conservation objectives (NPWS, 25/05/2026)	Distance from proposed development	Ecological connections	Consider further in screening Y/N
River Barrow and River Nore SAC (Site Code: 002162)	Estuaries [1130] Mudflats and sandflats not covered by seawater at low tide [1140] Reefs [1170] Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330] Mediterranean salt meadows (Juncetalia maritimi) [1410] Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation [3260] European dry heaths [4030] Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels [6430] Petrifying springs with tufa formation (Cratoneurion) [7220]	c. 4km direct c. 13km hydrologically via waterbodies	Hydrological connectivity	Y

	Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0] Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0] Vertigo moulinsiana (Desmoulin's Whorl Snail) [1016] Margaritifera margaritifera (Freshwater Pearl Mussel) [1029] Austropotamobius pallipes (White-clawed Crayfish) [1092] Petromyzon marinus (Sea Lamprey) [1095] Lampetra planeri (Brook Lamprey) [1096] Lampetra fluviatilis (River Lamprey) [1099] Alosa fallax fallax (Twaite Shad) [1103] Salmo salar (Salmon) [1106] Lutra lutra (Otter) [1355] Vandenboschia speciosa (Killarney Fern) [6985] Conservation Objectives June 2025			
River Nore SPA (004233)	Kingfisher (Alcedo atthis) [A229] Conservation Objectives	c. 4km direct c. 13km hydrologically via waterbodies	Hydrological connectivity Functional connectivity	Y

	September 2022			
Slieve Bloom Mountains SPA (Site Code: 004160)	Hen Harrier (Circus cyaneus) [A082]] Conservation Objectives September 2022	c. 12km	Functional connectivity	Y

I have attached link to site details which outlines the Conservation Objectives and qualifying interests of the above two listed European sites of relevance in this case, as provided by NPWS.
Ecological surveys (including habitat mapping) undertaken by the applicant are detailed within the submitted application.

3. Describe the likely effects of the of the project (if any, alone or in combination) on European Sites

River Barrow and River Nore SAC (002162)
There is hydrological connection between the site and River Nore via a local stream that flows along the northeastern boundary of the site, this being part of a network of tributaries of the River Gully, which in turn flows into the River Nore, c. 13km southeast of the site.

There is potential for ex-situ impacts on mobile species such as otter and a weak hydrological pathway between the proposed works and the SAC at construction stage which requires further consideration. There are no direct and/or indirect adverse effects anticipated during the operational phase of the Proposed Development.

River Nore SPA (Site Code: 004233)
The submitted AA screening report outlines that the footprint of the proposed development has not been identified in desk review or field surveys conducted as an ex-situ foraging, roosting or breeding area for kingfisher and that the stream on site is unsuitable nesting or forage habitat for this species. On this basis, the proposal does not represent a significant effect to SPA populations of kingfisher. Therefore, there is no likelihood of effects occurring on River Nore SPA, either alone or in-combination with other projects.

Slieve Bloom Mountains SPA (Site Code: 004160)
Given the nature and extent of works sought and the spatial separation distance, in excess of 12km, and noting in particular that the site is outside the core foraging range for hen harrier, the proposal does not represent a significant effect to SPA populations of hen harrier. Therefore, there is no likelihood of effects occurring on Slieve Bloom Mountains SPA, either alone or in-combination with other projects.

Sources of impact and likely significant effects are detailed in the Table below.

Screening matrix

Site name	**Possibility of significant effects (alone) in view of the conservation objectives of the site***	
	Impacts	**Effects**
River Barrow and River Nore SAC	• Water quality impacts at construction stage via accidental release of pollutants and groundwater interference • Disturbance to mobile species at construction stage. • There are no direct and/or indirect adverse effects anticipated during the operational phase of the proposed development.	Negative effect on water quality within the River Barrow and River Nore SAC with an associated degradation of qualifying habitats and population decline of certain qualifying species. The construction works may have the potential to result in disturbance (via noise, temporary lighting and visual disturbance) of ex-situ QIs which may occur in proximity to the project, namely the otter. Potential for additional pollution load in the River Nore catchment to affect Nore Freshwater Pearl Mussel (Margaritifera durrovensisi) which occur in the main River Nore channel downstream of the proposed development.
	Likelihood of significant effects from proposed development (alone): **Yes**	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? **N/A**	
	Impacts	**Effects**
River Nore SPA (Site Code: 004233)	None	None as there are no viable source pathway receptor link is identified and no likely loss of habitat or disturbance on the Kingfisher.
	Likelihood of significant effects from proposed development (alone): **No**	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? N**o**	
	Impacts	**Effects**
Slieve Bloom Mountains SPA (Site Code: 004160)	None	None as there are no feasible hydrological or ecological pathways and no likely loss of habitat or disturbance on the hen harrier.

	Likelihood of significant effects from proposed development (alone): **No**
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? N**o**

4: Conclude if the proposed development could result in likely significant effects on a European site

Based on the information provided within the applicant's Stage 1 Screening Report, and in reviewing the conservation objectives and supporting documents of the relevant European Sites, I consider that the precautionary approach to apply and accordingly, that the proposed development has the potential to result in significant effects on the conservation objectives of River Barrow and River Nore SAC (002162).

This determination is based on the need to apply the precautionary approach and the potential for impacts on the qualifying interests of this SAC in terms of water quality, when considered as a project on its own and in-combination with other projects and plans.

Screening Determination

Finding of likely significant effects

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of objective information provided by the applicant, I conclude that the proposed development could result in significant effects on River Barrow and River Nore SAC in view of its conservation objectives on a number of qualifying interest features of this site.

It is therefore determined that Appropriate Assessment (stage 2) [under Section 177V of the Planning and Development Act 2000] of the proposed development is required.

Appendix 2 – Appropriate Assessment

Appropriate Assessment

The requirements of Article 6(3) as related to appropriate assessment of a project under part XAB, sections 177V [or S 177AE] of the Planning and Development Act 2000 (as amended) are considered fully in this section.

Taking account of the preceding screening determination, the following is an Appropriate Assessment of the implications of the proposed development in view of the relevant conservation objectives of **River Barrow and River Nore SAC,** based on scientific information provided by the applicant.

The information relied upon includes the following:

- Stage 1 Screening for Appropriate Assessment report prepared by Mott MacDonald
- Natura Impact Statement prepared by Mott MacDonald

I am satisfied that the information provided is adequate to allow for Appropriate Assessment. All aspects of the project which could result in significant effects are considered and assessed in the NIS. There are mitigation measures designed to avoid or reduce any adverse effects on site integrity included within the applicant's NIS (refer Section 4.6).

Submissions/observations

The matter of AA was not raised within the appellant's appeal submission or within its submission at application stage.

European site: River Barrow and River Nore SAC

Qualifying Interest features likely to be affected *Following an examination of all QIs of this SAC, the table below provides details of those QI's in which there is any likely feasible pathway/QIs likely to be affected.*	**Conservation Objectives** **Targets and attributes (as relevant-summary)**	**Potential adverse effects**	**Mitigation measures** *The required mitigation measures are set out within Section 7 of the applicant's NIS.*
Lutra lutra (Otter) [1355]	The targets and attributes for the identified QI's	Disturbance of resting places, leading to displacement and	• ECoW pre-works survey

	can be found at the following link: River Barrow and River Nore SAC | National Parks & Wildlife Service	reduction in SAC populations.	• Refinement of mitigation including contractor constraint mapping. • ECoW supervision of works
Margaritifera margaritifera (Freshwater Pearl Mussel) [1029] The submitted NIS refers to the Margaritifera durrovensis (Nore Pearl Mussel) [1990]. I note that the *NPWS (2025) Conservation Objectives: River Barrow and River Nore SAC 002162. Version 2* outlines that genetic research has placed the Nore population of Freshwater Pearl Mussel (formerly Margaritifera durrovensis, Species code 1990) within the Margaritifera margaritifera taxon.	The targets and attributes for the identified QI can be found at the following link: River Barrow and River Nore SAC | National Parks & Wildlife Service	• Degradation of water quality during the construction phase is likely to occur if mitigations are not in place. • Degradation in water quality during the construction phase of the project could have additional (to baseline) cumulative adverse impacts on water quality in the overall Nore river catchment. This would be a significant adverse effect on Nore Freshwater Pearl Mussels (FWP) as it will further reduce likelihood of possible recruitment in downstream FWP mussel populations due to additional water quality reduction and be contrary to conservation objectives targets to improve habitat conditions for this species and maintain the population.	Pollution prevention measure as outlined in Sections 4.6 of the submitted NIS, and Section 4 of the submitted CEMP, to include: • Silt fencing • Buffer of 50m between stockpiling / refuelling and watercourses. • Management of concrete pours • Appropriate fuel storage areas. At operational stage, the use of Class 1 oil separator and attenuation pond.

Assessment

I have undertaken a site visit and examined the documentation received, including the submitted NIS and associated documentation (including CEMP).

The applicant's AA screening concluded that there is potential for effects on the River Barrow and River Nore SAC at construction stage via accidental release of pollutants and temporary

disturbance of qualifying interest (QI) species. It therefore concluded that there is potential for likely significant effects on a number of QI's of this SAC, namely Lutra lutra (Otter) [1355] and Margaritifera margaritifera (Freshwater Pearl Mussel) [1029].

The likely effect on water quality at construction stage via accidental release of pollutants which may potentially impact on the site's QI's can be sufficiently addressed by way of incorporating mitigation measures. Further, the potential for disturbance to QIs mobile species at construction stage can be sufficiently addressed by way of incorporating mitigation measures, as referenced in the above table, with these mitigation measures outlined in detail within Section 4.6 of the NIS.

There are no direct and/or indirect adverse effects anticipated during the operational phase of the Proposed Development.

Mitigation measures and conditions

The stated mitigation measures set out within Section 4.6 of the applicant's NIS are required and extend beyond best practice construction methods.

Potential for In-combination effects

The submitted NIS refers to other large projects in the wider area, namely Coolglass windfarm (decision to grant permission quashed by Supreme Court in March 2026) and other EirGrid uprating / upgrade projects, none of which are located in relative close proximity to the appeal site.

Findings and Conclusions

The applicant determined that the construction and operation of the proposed development alone, or in combination with other plans and projects, would not adversely affect the integrity of the River Barrow and Nore SAC in view of its conservation objectives.

Based on the information provided, and subject to the implementation of required mitigation measures, I am satisfied that adverse effects arising from the proposed development can be excluded. No significant in combination effects are predicated.

Reasonable scientific doubt

I am satisfied that no reasonable scientific doubt remains as to the absence of adverse effects.

Site Integrity

The proposed development will not affect the attainment of the Conservation Objectives of the River Barrow and River Nore SAC subject to the implementation of required mitigation measures. Adverse effects on site integrity can be excluded and no reasonable scientific doubt remains as to the absence of such effects.

Appropriate Assessment Conclusion: Integrity Test

In screening the need for Appropriate Assessment, it was determined that the proposed development could result in significant effects on River Barrow and River Nore SAC in view of the conservation objectives of this site and that Appropriate Assessment under the provisions of S177U was required.

Following an examination, analysis and evaluation of the NIS and all associated material submitted, I consider that adverse effects on the site integrity of the River Barrow and River Nore SAC can be excluded in view of its conservation objectives of this site and that no reasonable scientific doubt remains as to the absence of such effects.

My conclusion is based on the following:

- Detailed assessment of construction and operational impacts arising from the proposed development.
- Nature and scale of the works proposed and spatial separation from the qualifying interests of River Barrow and River Nore SAC.
- The proposed development will not affect the attainment of conservation objectives for River Barrow and River Nore SAC which seeks to restore favourable conservation condition of QIs in the River Barrow and River Nore SAC including the Lutra lutra (Otter) [1355] and Margaritifera margaritifera (Freshwater Pearl Mussel) [1029]

Appendix 3 – WFD Stage 1: Screening

WATER FRAMEWORK DIRECTIVE IMPACT ASSESSMENT STAGE 1: SCREENING

Step 1: Nature of the Project, the Site and Locality

An Coimisiún Pleanála ref. no.	ACP-322818-25	**Townland, address**	Springfield or Knockkyle, Ballacolla, Co. Laois
Description of project		Construct a new securely fenced series compensation compound, and all site works. Works include the recontouring of part of the site to facilitate level ground for the compensation compound, also the construction of an attenuation pond within c. 10m of a stream (GULLY_020) that flows east to west within the northeastern boundary of the site, and the construction of 2 no. concrete headwalls for discharge to the same stream. A detailed description of the proposed development is provided in Section 2.0 of the Inspector's report and detailed specifications of the proposal are provided in the PECR, AA screening report/ NIS and other planning documents provided by the applicant, including the CEMP. The submitted PECR considers the WFD in the context of surface and groundwater.	
Brief site description, relevant to WFD Screening,		• An existing stream (GULLY_020) runs along inside the northeastern boundary of the site. The stream flows north/northwest, under the M8 / M7 interchange, before discharging into another stream, also part of the GULLY_020, which then flows north for c. 980m to join the River Gully (GULLY_030). From that point, the River Gully flows c. 11km to the southeast before discharging to the River Nore (NORE_110) due north of Durrow village, at a point of the river covered by both the River Barrow and River Nore SAC and River Nore SPA. • The proposed development site is located within the Nore Catchment, and the Nore_SC_050 sub-catchment. • The site is underlain by the Rathdowney ground waterbody, with high groundwater vulnerability, as described under Section 5.3.4 of the submitted PECR.	

Proposed surface water details	• Surface water runoff from within the compensation compound will be collected via a gravity drainage system (consisting of filter and carrier drains), will pass through a silt trap chamber and Class 1 bypass oil separator, and into an attenuation pond / retention basin, discharging to Cross 15 (GULLY_020) via a flow control device. • Impermeable surfaces amounts to c. 0.64ha, comprising the control and store building, and roads, parking and hardstand areas, whilst permeable surfaces amount to c. 3.14ha, comprising crushed rock areas around the equipment and platforms. • Additionally, a drainage ditch has been proposed around the perimeter of the fenced compound to collect surface water run-off from the lands outside the compensation compound. The proposed drainage ditch will connect to remaining sections of existing drainage ditches located to the north and east of the proposed compound, which drain directly into the adjoining stream running along the northeastern site boundary. • Drainage will be provided for the section of upgraded access track via a crushed stone channel along the eastern side of the track.
Proposed water supply source & available capacity	• PECR section 6.5.2 outlines that a water supply is required for the welfare facilities (including potable water supply) within the control building and is to be supplied via a proposed borehole.
Proposed wastewater treatment system & available capacity, other issues	• PECR section 6.5.2 outlines that foul drainage will be required for the welfare facilities within the proposed control building, and that this will drain to a foul holding tank which will be emptied and disposed of off-site by a licenced waste contractor to a licenced waste facility, as and when required.
Others?	-

Step 2: Identification of relevant water bodies and Step 3: S-P-R connection							
Identified water body	**Water body name(s) (code)**	**WFD Status**	**Risk of not achieving WFD Objective e.g.at risk, review, not at risk**	**Identified pressures on that water body (data to 2021)**	**Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)**	**Mitigation Measures proposed**	**Is mitigation sufficient? Will there be any residual impacts?**
Stream	Gully_020 IE_SE_15G030100	The River Waterbody WFD Status 2019-2024 awarded the Gully_20 a status of 'Good'	At Risk	Hydromorphology	Surface water Groundwater	Mitigation measures listed in the submitted NIS and PECR, including those relating to the construction of the drainage headwalls within the bank of the stream. At operational stage, the use of Class 1 oil separator, attenuation pond and flow control device.	Mitigation is considered to be sufficient. No residual impacts anticipated.
River Gully	Gully_030 IE_SE_15G030300	The River Waterbody WFD Status 2019-2024	Not at Risk	-	Surface water	Mitigation measures listed in	Mitigation is considered to be sufficient. No

		awarded the Gully_030 a status of 'Good'				the submitted NIS and PECR. At operational stage, the use of Class 1 oil separator, attenuation pond and flow control device.	residual impacts anticipated.
River Nore	Nore_110 IE_SE_15N011300	The River Waterbody WFD Status 2019-2024 awarded the Nore_110 a status of 'Good'	Not at Risk	-	Surface water	Mitigation measures listed in the submitted NIS and PECR. At operational stage, the use of Class 1 oil separator, attenuation pond and flow control device.	Mitigation is considered to be sufficient. No residual impacts anticipated.
Rathdowney ground waterbody	IE_SE_G_114	The Ground Waterbody WFD Status 2019-2024 awarded the Rathdowney ground waterbody a status of 'Good'	Not at Risk	-	Surface water Groundwater	Mitigation measures listed in the submitted NIS and PECR.	Mitigation is considered to be sufficient. No residual impacts anticipated.

Appendix 4 - EIA Pre-Screening (Form 1)

Case Reference	ACP-322818-25
Proposed Development Summary	Construct a new securely fenced series compensation compound, and all site works.
Development Address	Springfield or Knockkyle, Ballacolla, Co. Laois
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	☒ Yes, it is a 'Project'. Proceed to Q2. ☐ No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified in Part 1.	
☒ No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☐ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold.	
☒ Yes, the proposed development is of a Class but is sub-threshold.	**Schedule 5, Part 2, Class 1(a)** Projects for the restructuring of rural landholdings, undertaken as part of a wider proposed development, and not as an agricultural activity that must comply with the

	European Communities (Environmental Impact Assessment) (Agriculture) Regulations 2011, where the length of field boundary to be removed is above 4 kilometres, or where re-contouring is above 5 hectares, or where the area of lands to be restructured by removal of field boundaries is above 50 hectares. Having regard to the purpose and nature of the proposal, such non-agricultural development would not constitute rural restructuring under Class 1 of Part 2 of Schedule 5. **Schedule 5, Part 2, Class 13(a)** Any change or extension of development already authorised, executed or in the process of being executed (not being a change or extension referred to in Part 1) which would:- (i) result in the development being of a class listed in Part 1 or paragraphs 1 to 12 of Part 2 of this Schedule, and (ii) result in an increase in size greater than – - 25 per cent, or - an amount equal to 50 per cent of the appropriate threshold, whichever is the greater. Of relevance is Class 20 of Part 1 which relates to the construction of overhead electrical power lines with a voltage of 220 kilovolts or more and a length of more than 15 kilometres. The proposal comprises a change to the completed 400kV line, therefore would fall under Class 13(a)(i) development. However, the development would not meet the thresholds set out under Class 13(a)(ii), therefore would comprise sub-threshold development under Class 13(a).

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☒	**Screening Determination required (Complete Form 3)**
No ☐	**Pre-screening determination conclusion remains as above (Q1 to Q3)**

Inspector: _____ **Date:** _____

Appendix 5 – EIA Screening Determination (Form 3)

A. CASE DETAILS		
An Coimisiún Pleanála Case Reference	ACP-322818-25	
Development Summary	Construct a new securely fenced series compensation compound, and all site works.	
Sub-threshold - development class referred to under Schedule 5 of Planning and Development Regulations 2001 (as amended) or Article 8 of Roads Regulations 1994:	**Schedule 5, Part 2, Class 13(a)** Any change or extension of development already authorised, executed or in the process of being executed (not being a change or extension referred to in Part 1) which would:- (iii) result in the development being of a class listed in Part 1 or paragraphs 1 to 12 of Part 2 of this Schedule, and (iv) result in an increase in size greater than – - 25 per cent, or - an amount equal to 50 per cent of the appropriate threshold, whichever is the greater. Of relevance is Class 20 of Part 1 which relates to the construction of overhead electrical power lines with a voltage of 220 kilovolts or more and a length of more than 15 kilometres.	
	Yes / No / N/A	**Comment (if relevant)**
1. Was a Screening Determination carried out by the PA?	Yes	The Planner's Report determined that there is no likelihood for significant effects from the proposed development upon the implementation of the mitigation, and that, therefore, an EIA is not necessary for the proposed development.
2. Has Schedule 7A information been submitted?	Yes	

3. Has an AA screening report or NIS been submitted?	Yes	A Screening for Appropriate Assessment Report and NIS accompanied this application.	
4. Is a IED/ IPC or Waste Licence (or review of licence) required from the EPA? If YES has the EPA commented on the need for an EIAR?	No		
5. Have any other relevant assessments of the effects on the environment which have a significant bearing on the project been carried out pursuant to other relevant Directives – for example SEA	Yes	Noted that a SEA and AA / Natura Impact Report were undertaken in respect of the Laois County Development Plan 2021-2027.	
B. EXAMINATION	**Yes/ No/ Uncertain**	**Briefly describe the nature and extent and Mitigation Measures (where relevant)**	**Is this likely to result in significant effects on the environment? Yes/ No/ Uncertain**
This screening examination should be read with, and in light of, the rest of the Inspector's Report attached herewith			
1. Characteristics of proposed development (including demolition, construction, operation, or decommissioning)			
1.1 Is the project significantly different in character or scale to the existing surrounding environment?	Yes	The proposed development covers an area of c. 13.6ha. Of this area, c. 3.8ha comprises the proposed compensation compound, c. 1ha is attributed to the access track, c. 2ha is for the temporary construction compound which will be reinstated as farmland following the construction phase. The remainder includes the land south of the compensation compound on which the existing OHL tower to be removed is located and the 2 no. new OHL towers are to be erected.	No

		The proposed compensation compound represents the most significant change with respect to character of the area, however, this comprises a relatively moderate scale of development when compared to the scale, form and height of the existing OHL towers which form part of the adjoining 400kV OHL circuit and associated transformers.	
1.2 Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?	Yes	The proposal will comprise a change to the land use from agriculture to electricity infrastructure and the construction of the compensation compound will require recontouring of a c. 3.8ha section of the site. The drainage strategy includes an outfall to a local stream comprising the installation of pre-cast headwalls on the bank of the stream. The site is contained within a relatively small footprint within a rural area. The implementation of the proposed mitigation measures set out within the submitted PECR will ensure that there are no significant effects on soils, geology and waterbodies. There are no demolition works proposed. The existing OHL tower to be removed will dismantled and taken away for reuse. No operational impacts in this regard are anticipated.	No
1.3 Will construction or operation of the project use natural resources such as land,	Yes	Proposed works relate to the construction of electricity infrastructure on farmland and	No

soil, water, materials/minerals or energy, especially resources which are non-renewable or in short supply?		removal of hedgerows in a rural area adjacent to an existing 400kV OHL circuit. Construction materials will be typical for a development of this nature and scale. The land use will change however the footprint is considered to be relatively minor in the context of wider rural environment.	
1.4 Will the project involve the use, storage, transport, handling or production of substance which would be harmful to human health or the environment?	Yes	Construction activities will require the use of potentially harmful materials, such as fuels and other such substances. Use of such materials would be typical for construction sites. Any impacts would be local and temporary in nature. The implementation of standard construction practice measures set out in the submitted Construction Environmental Management Plan (CEMP) would satisfactorily mitigate potential impacts. No impacts at operational stage in this regard are anticipated.	No
1.5 Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?	Yes	Waste will be produced from the excavation of soils, excess metals, timber, drainage piping, excess concrete, materials packaging, municipal waste from welfare facilities and organic 'green' waste from the removal of hedgerows/trees. The use of such materials would be typical for construction sites. Some noise emissions and vibration during construction is likely. Such construction impacts would be local and temporary in nature, and with the implementation of the standard measures outlined in the CEMP, the project would satisfactorily mitigate the potential impacts.	No

		The net total of soils from the construction phase (excess fill) will be approximately 1,680m3. This volume may increase where soils from the cut activities are deemed unsuitable for on-site infill activities. Soils which cannot be reinstated / re-used on-site will be treated as waste. Other non-soil wastes associated with the project can be readily re-used, recovered, and recycled, or disposed of, if need be, through existing waste management infrastructure in the locality. The application also includes a Construction Phase Resource Waste Management Plan. No operational impacts in this regard are anticipated.	
1.6 Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?	Yes	Potential release of contaminants to groundwater and to the adjoining stream, including works to facilitate drainage infrastructure. The implementation of standard construction practice measures set out in the submitted Construction Environmental Management Plan (CEMP) would satisfactorily mitigate potential impacts.	No
1.7 Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?	Yes	There is potential for construction activity to give rise to noise and vibration emissions. Such emissions will be localised and short term in nature, and their impacts would be suitably mitigated by the operation of standard measures listed in the CEMP. No	No

		significant operational impacts are anticipated.	
1.8 Will there be any risks to human health, for example due to water contamination or air pollution?	Yes	Construction activity may give rise to some dust emissions. Such construction impacts would be temporary and localised in nature and the application of standard measures within the CEMP satisfactorily address potential risks on human health. No significant operational impacts are anticipated.	No
1.9 Will there be any risk of major accidents that could affect human health or the environment?	No	No significant risk is predicted having regard to the nature and scale of the development.	No
1.10 Will the project affect the social environment (population, employment)	No	The proposed development is located in an area of agricultural lands, adjacent to the M8 in a sparsely populated area, and adjacent to and directly associated with an existing 400kV OHL circuit.	No
1.11 Is the project part of a wider large scale change that could result in cumulative effects on the environment?	Yes	The development is part of a wider Series Compensation Project to significantly increase power transfer capacity and improve voltage stability on the 400 kV electricity transmission network. On a macro level, the project would support the growth of wind energy production by facilitating the transfer of wind generated energy during high wind periods, which is a positive outcome in the context of CAP25, whilst on a micro level, the project is relatively isolated geographically speaking and as such there would be no cumulative effect (including visual and	No

		ecological) arising from the proposed development.	
2. Location of proposed development			
2.1 Is the proposed development located on, in, adjoining or have the potential to impact on any of the following: • European site (SAC/ SPA/ pSAC/ pSPA) • NHA/ pNHA • Designated Nature Reserve • Designated refuge for flora or fauna • Place, site or feature of ecological interest, the preservation/ conservation/ protection of which is an objective of a development plan/ LAP/ draft plan or variation of a plan	Yes	The site adjoins a stream, which flows into the River Gully, which in turn flows into the River Nore, c. 11km to the southeast, and thus site is hydrologically connected to the River Barrow and River Nore SAC (Site Code: 002162). As concluded in the Appropriate Assessment under Appendix 2 of the Inspector's Report, the proposed development would not result in significant impacts to protected, important or sensitive species, subject to implementation of mitigation measures set out in the NIS.	No
2.2 Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, for example: for breeding, nesting, foraging, resting, over-wintering, or migration, be affected by the project?	Yes	The proposed development would not result in significant impacts to protected, important or sensitive species, subject to implementation of mitigation measures set out in the submitted PECR. <u>Flora</u> The proposed compound would be located across field boundaries requiring the removal of c. 126m of Hedgerow and 215m of treeline. Mitigation / ecological enhancement is outlined under section 4.6 of the PECR. This comprises 0.96ha of currently low biodiversity improved agricultural grassland to be planted with native deciduous woodland, resulting in a net increase in deciduous woodland type	No

		habitat of up to c. 0.86ha. Additionally, 0.92ha of currently intensively managed grassland will be managed so it reverts to a semi natural grassland post construction and attenuation pond is to be designed to enhance local biodiversity. <u>Birds</u> The submitted PECR outlines that the loss of habitat within the redline boundary will lead to localised loss of breeding habitat for yellowhammer, skylark, buzzard and other common bird species. The PECR notes that whilst Yellowhammer is the most notable species (red listed) resident throughout the year on the site and environs; its breeding areas are focused on managed boundary hedgerows on the south and west of the application site and these hedgerows will not be impacted. The PECR concludes that with proposed ecology enhancement measures no adverse effects are likely to Yellowhammer and other local breeding populations birds. The PECR also outlines that the site has low importance for wintering waterfowl, that all winter bird species, including amber and red listed species recorded, are typical common species that are widely distributed on farmland throughout Ireland during winter. The PECR concludes that adverse effects are not likely to wintering birds. <u>Bats</u>	

		The PECR outlines that the main treeline within the proposed site, running east to west was identified to have low to negligible roost potential. No roosts were recorded during the emergence survey on 14 August 2023. Overall bat activity along this treeline and connected hedgerows was moderate. Bat species recorded utilising this site, foraging and commuting, were soprano pipistrelle, common pipistrelle, Leisler and an unidentified Myotis sp. Common pipistrelles were the most abundant species with soprano pipistrelles being the second most common within the proposed site. The PECR outlines that there will be localised loss of treeline and hedgerow that are used by commuting and foraging bats, but that foraging areas and commuting routes are not legally protected. <u>Other mammals</u> The PECR outlines that loss of habitat will lead to localised small-scale loss of foraging and commuting habitat for a variety of other species such as badger, otter, pine martin and hedgehog. Given the nature and scale of the proposed development, it would not result in significant impacts on any protected, important or sensitive species of flora or fauna.	
2.3 Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?	Yes	There are no national monuments or world heritage sites within the study area.	No

		There are no recorded monuments or zones of notification within or interacting with the site. Closest records are as follows: • LA022-028---- described as a cropmark of circular enclosure, is located c. 500m to the west of the site, on the opposite side of the M8. • LA023-029---- and LA023-029001- ruins of church and graveyard. Condition 7 on the local authority's decision requires a pre-commencement geo-physical survey and test trenching to identify archaeological remains. I consider this to be reasonable. There are no protected structure within or adjoining the site.	
2.4 Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, for example: forestry, agriculture, water/coastal, fisheries, minerals?	Yes	The proposed development will result in the loss of a relatively small area of agricultural land.	No
2.5 Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwaters which could be affected by the project, particularly in terms of their volume and flood risk?	Yes	The drainage strategy for the operational phase includes an attenuation pond and has been designed to control discharge to the adjoining stream to a pre-development rate, thus prevent flooding and also to ensure water quality of the stream is not impacted.	No
2.6 Is the location susceptible to subsidence, landslides or erosion?	No		No

2.7 Are there any key transport routes (e.g. National primary Roads) on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?	Yes	The site is located adjacent to the M8. The project includes removal of an existing OHL structure on the 400kV OHL and erection of two new structures. This requires temporary disconnection and reconnection works between structures on either side of the motorway. Condition 5 on the local authority's decision requires engagement with the TII on such temporary works. I consider such engagement is sufficient to address any risk to the safe operation of the motorway.	No
2.8 Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be affected by the project?	No		No
3. Any other factors that should be considered which could lead to environmental impacts			
3.1 Cumulative Effects: Could this project together with existing and/or approved development result in cumulative effects during the construction/ operation phase?	No	The development is part of a wider Series Compensation Project to significantly increase power transfer capacity and improve voltage stability on the 400 kV electricity transmission network. However, no existing or permitted developments have been identified in the immediate vicinity that would give rise to significant cumulative environmental effects with the subject project.	No
3.2 Transboundary Effects: Is the project likely to lead to transboundary effects?	No	-	No
3.3 Are there any other relevant considerations?	No	-	No
C. CONCLUSION			

No real likelihood of significant effects on the environment.	**X**	EIAR Not Required
Real likelihood of significant effects on the environment.		

D. MAIN REASONS AND CONSIDERATIONS

EG - EIAR <u>not</u> Required

Having regard to: -

a) the nature and extent of the proposed development, which is below the threshold in respect of Part 2, Class 13(a) of Schedule 5 of the Planning and Development Regulations 2001, as amended

b) the criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as amended.

c) the results of other relevant assessments of the effects on the environment submitted by the applicant including an Appropriate Assessment Screening Report, Natura Impact Statement and Environmental Impact Assessment Screening Report

d) the mitigation measures put forward in the accompanying Planning and Environmental Considerations Report and Construction Environmental Management Plan

e) Consideration of Cumulative Effects.

In so doing, the Commission concluded that by reason of the nature, scale and location of the project, the development would not be likely to have significant effects on the environment and that an Environmental Impact Assessment and the preparation of an Environmental Impact Assessment Report would not, therefore, be required.

Inspector _____ **Date** _____

Approved (DP/ADP) _____ **Date** _____